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To: US Patent and Trademark Office
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FAX TRANSMISSION

For: METHOD, SYSTEM AND RADIO BASE STATION FOR PAGING A MOBILE STATION
 IN A THIRD GENERATION GENERAL PACKET RADIO SERVICE (GPRS) NETWORK
 Inventors: Paul J. Evans
 Serial No.: 09/552,766
 Filing date: 04/19/2000
 Docket No.: P13614US

Mr. Lee:

Please find attached:

- an Election with Traverse in response to the Office Action of September 10, 2003.

Best regards,

Lala Deleon

Lala Deleon for Alex Nicolaescu - Patent Agent

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P13614US
Application number 09/552,766

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10/27/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: EVANS, Paul J)
Serial No. : 09/552,766) Examiner : LEE, Timothy L
Filed : 04/19/2000) Group Art Unit : 2697
For : Method, System and Radio Base Station for Paging a Mobile Station in a Third
Generation General Packet Radio Service (GPRS) Network

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PATENT TRADEMARK OFFICE

ELECTION WITH TRAVERSE

Dear Sir:

Responsive to the outstanding Office action including a restriction requirement for the pending claims and dated 09/10/2003, for which the shortened statutory period of time for reply is set to expire on 10/10/2003, Applicant elects WITH TRAVERSE group I (claims 1-7) of the pending claims.

In his Office action, the Examiner contends that pending claims 1-7 belong to a 1st group of claims, claims 8-10, 13, and 14 belong to a 2nd group of claims, while claims 11, 12, and 15 belong to a 3rd group of claims, which groups are allegedly distinct in the Examiner's view.

The Examiner further alleges that the combination (Group II) "does not require the particulars of the subcombination (Group I) as claimed for patentability". The Applicant respectfully submits that the Examiner erred in this aspect, and herein kindly submits that in fact the combination (Group II) does require particular elements of the subcombination for patentability.

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For example, claim 8 of the combination recites a packet-switched GPRS cellular telecommunications network comprising:

a Serving GPRS Support Node (SGSN);
an IP-based Radio Access Network (RAN); and

at least one Radio Base Station (RBS) comprising routing area-cell mapping information; wherein said routing area-cell mapping information defines a relation between a Routing Area (RA) and at least one cell served by said RBS.

On the other hand, claim 1 from the subcombination recites a Radio Base Station (RBS) comprising:

routing area-cell mapping information defining a relation between a routing area (RA) and at least one cell of said RBS;

a Packet Control Unit (PCU) for processing a page request received from a Serving GPRS Support Node (SGSN); wherein said PCU associates an RA information extracted from said page request with cell identification information using said routing area-cell mapping information. 1.

The patentable features of claim 8 include the Radio Base Station (RBS) comprising routing area – cell mapping information that defines a relation between a routing area (RA) and at least one cell served by the RBS. It is apparent that these particular elements are required for the patentability of claim 8. It is further apparent that these same features are also included in claim 1.

Since elements required for the patentability of claim 8 are included in claim 1 and are also required for the patentability of claim 1, Applicant respectfully submits that the inventions of Group I and II cannot be said to be distinct, under MPEP §806.05(c).

Therefore, Group I and II do not meet the requirements stated by the Examiner for the issuance of a claim election/restriction, i.e. it is erroneous to say as alleged in the outstanding Office action that "the combination as claimed does not require the particulars of the subcombination as claimed for patentability". Consequently, Applicant respectfully submits that the present restriction requirement is defective, and therefore it should be withdrawn.

A similar argument can also be made with respect to the unity of invention of Group II and III. Both independent claims 8 and 11 comprise limitations required for their patentability directed to an RBS comprising routing area – cell mapping information that defines a relation between a routing area (RA) and at least one cell served by the RBS. It is apparent that these particular elements are required for both the patentability of claim 8 and 11.

Since elements required for the patentability of claim 11 are included in claim 8 and are also required for its patentability, Applicant respectfully submits that the inventions of Group II and III cannot be said to be distinct, under MPEP §806.05(c).

Therefore, Group II and III do not meet the requirements stated by the Examiner for the issuance of a claim election/restriction, i.e. it is erroneous to say as alleged in the outstanding Office action that "the combination as claimed does not require the particulars of the subcombination as claimed for patentability". Consequently, Applicant respectfully submits that the present restriction requirement is also defective, and therefore it should also be withdrawn.

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Conclusion

All pending claims 1-15 represent a unique inventive concept as described hereinabove. Therefore, Applicant kindly requests the withdrawal of the present restriction requirement.

In the Examiner finds out that the prosecution of the present invention would be facilitated by telephone interview, the Examiner is invited to contact the undersigned, Alex Nicolaescu, at telephone number (514) 345-7900 extension number 2596.

Respectfully submitted,



Oct. 10, 2003

Alex Nicolaescu
USPTO Reg. Number 47,253

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